

## UNITED STATES DISTRICT COURT

JUL 20 2016

for the  
Southern District of Texas

David J. Bradley, Clerk

United States of America  
V.  
Jose Mario CARDONA-Benitez  
YOB: 1989  
Citizenship: HondurasCase No. M-16-1360-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 30, 2015 to Feb 17, 2016 in the county of Cameron/Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

8 U.S.C. 1324 (a)(1)(A)(v)(ii), (a)(1)  
(A)(v)(I), and (a)(1)(B)(i)

Knowing and in reckless disregard of the fact that individuals, who were aliens, had come to, entered, and remained in the United States in violation of law, did knowingly and intentionally conspire and agree together and with other persons known and unknown, to transport and move said aliens within the United States in furtherance of such violation of law, that is, from locations in the Rio Grande Valley of South Texas to other locations further north into the United States, by various means including by motor vehicle and by foot.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

OK to file. TAT



Complainant's signature

Carlos Martinez, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/20/2016

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Peter E. Ormsby

Printed name and title

Attachment "A"

In March of 2016, Homeland Security Investigations McAllen, Texas initiated an investigation into a human smuggling organization (HSO) operating out of the Rio Grande Valley (RGV) of South Texas. The HSO transports undocumented aliens from the RGV to Houston, Texas via Highway 281 and Highway 77. The investigation has led to the arrest of several defendants. Agents have interviewed multiple cooperating defendants (CDs) regarding the operation of the HSO. The investigation revealed, and CDs have confirmed, that the HSO often utilized a load vehicle with a driver, a foot guide, and the undocumented aliens. The driver would stop the load vehicle south of the Border Patrol checkpoint, and the foot guide and undocumented aliens would exit the load vehicle and travel by foot around the checkpoint before being picked up by the same or another load vehicle north of the checkpoint. The HSO also frequently utilized one or more scout vehicles which would travel with the load vehicle. At least three (3) of the CDs have provided information regarding Jose Mario CARDONA-Benitez and have identified CARDONA-Benitez as a member of the HSO from a photo. One or more of the CDs have identified CARDONA-Benitez as one of the primary foot guides who guided undocumented aliens through the brush to circumvent the Falfurrias, Texas Border Patrol checkpoint or the Sarita, Texas Border Patrol checkpoint, depending upon the route taken.

One (1) CD provided information about a particular load of undocumented aliens which was transported around the Sarita checkpoint on December 30 or 31, 2015. According to the CD, on that occasion, CARDONA-Benitez and the aliens encountered a Border Patrol agent as they attempted to circumvent the checkpoint. In an effort to escape, CARDONA-Benitez got into a struggle with the Border Patrol agent and bit the agent's finger. Your affiant was able to corroborate this information and has identified an incident which occurred on December 30, 2015, near the Sarita checkpoint during which a Border Patrol agent was bitten in the hand while attempting to apprehend an individual who was trying to circumvent the checkpoint that evening. Although the person who bit him was able to escape, twenty three (23) other undocumented aliens, citizens of Guatemala, El Salvador, Honduras, and Mexico, were apprehended.

On February 17, 2016, agents conducted surveillance on members of the HSO and observed what agents believed to be a smuggling attempt. The vehicles (load vehicle and scout vehicles) abruptly turned back south after committing north on Highway 77, towards the Sarita checkpoint. A CD later confirmed to agents that the smuggling attempt was scrubbed after CARDONA-Benitez, who was a passenger in the load vehicle, called members of the HSO to advise that he had spotted surveillance.